

Mark W. Bennett  
917 Franklin Street, Fourth Floor  
Houston, Texas 77002

Re. USA vs Arthur, NO P-19-CR-774

December 19, 2020

Dear Mr. Bennett,

I am a licensed clinical psychologist, licensed in the state of New Mexico since 2001, and in the state of North Carolina since 2016. I hold a master's degree (MS) in psychology, earned from the University of New Mexico in 1997, and a doctoral degree in clinical psychology, awarded by the University of New Mexico in 2001. My clinical licenses are unrestricted. I am a Certified Sex Therapist and Supervisor of Sex Therapists, certified since 2016 by the board of the American Association of Sexuality Educators, Counselors and Therapists. Since 1996 I have worked exclusively in the field of clinical psychology, treating sexuality issues and mental health. Throughout my career, my clinical and research work has focused on sexuality behaviors, including criminal sexual behaviors. My focus has been promoting the integration of an evidence- and research-based approach to sexuality within clinical psychotherapy and public policy.

I have published three books and numerous articles about sexuality within both the academic and lay fields. My third book is a layperson's guide to managing psychological issues related to use of pornography. It includes artistic illustrations created by me, reflecting ancient erotic art. I am proficient with the literary, scientific and artistic nature of textual and non-textual works, especially those relating to human sexuality. I've conducted more than two hundred trainings around the world, instructing mental-health clinicians and the general public on how to ethically and effectively address a wide range of sexual issues in the personal lives of individuals and in the clinical treatments provided by professionals. I have attached my Curriculum Vitae and list of forensic activities.

In the course of my professional work, both clinical and research, I have reviewed a substantial number of forms of media related to sexuality. These have included photographs, videos, drawings, and textual accounts in both

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fictional and non-fictional formats. In some cases, I testified and offered opinions regarding the nature of the material to courts. I have testified in numerous forensic matters regarding matters of psychology and sexuality. I am familiar with federal law relating to obscenity, specifically Title 18 U.S.C. § 1462, along with the test set forth in *Miller v. California*, 513 U.S. 15 (1973), for determining obscenity.

The below statements and information are based upon my clinical experience and knowledge of mental-health and sexuality research literature, and cannot be applied to a particular individual, such as the defendant in this case, without more specific individualized information. These statements and information are limited solely in response to the question posed by counsel.

I was retained by defense counsel, Mark Bennett, in the matter of *United States v. Arthur*. Mr. Arthur was indicted on charges of distributing drawings and stories of an obscene nature. I have been asked to determine if, in my professional opinion, these materials lack serious scientific, literary, and artistic value. I reviewed the drawings and stories in the FBI satellite office in Alpine, Texas, on August 28, 2020. I also reviewed some other stories contained in an online archive of the “*Mr. Double*” website, as well as similar stories written by alleged authors of the above stories, contained in other online sites. In addition, I reviewed two stories provided by the agents, which they described as having been written by defendant Thomas Arthur.

Although I was provided hard-copy printouts of each of the stories that have been charged I was not able to see the stories in their original context of the *Mr. Double* Website, or to examine these stories within the overall structure of the website including any introductory statements, warnings, or the many additional stories that I understand were available on the website. The psychological impact of these stories and material may be dramatically influenced by the environment and context in which the materials are presented. Any opinion of these materials and items in isolation of the original online context within which they were presented, has some limitations.

Understanding that there are other stories, such as those allegedly written by the defendant which were not charged in the indictment, limits the ability to evaluate all of these materials “taken as a whole” (as the *Miller* test requires). Separating these specific stories, for instance, from the entire

website of the Mr. Double collection, may present an inaccurate and incomplete view of the literary, scientific and artistic value of these stories. For instance, while the stories identified in the indictment include numerous elements of violence, necrophilia and murder, the stories attributed to Mr. Arthur, and not included in the indictment, did not. Thus, reading only the stories included in the indictment may give a false impression of the degree to which the entire collection of stories centers on violence, aggression, murder, fetishism or necrophilia. As the *Miller* test requires, the full literary, scientific and artistic value of the stories and materials included in the indictment cannot be determined without consideration of the larger context within which they were found.

#### Charged Story #1: “The Baby Mangler”

This story is a first-person narrative of an individual who kidnaps, physically assaults, rapes and kills a young female toddler. The story includes initial warning language by the author that it is “very graphic and sick,” and that many readers should “hit the back button now.” This introduction may serve to invite consent and agreement from the reader, but may also build excitement, and taboo interest in the reader, who continues on in order to see something so “sick.” Readers of this story may experience decreased risk of contact offending against children, per the research of Dr. Milton Diamond (University of Hawaii) and Dr. David Finkelhor (University of New Hampshire). This story may reveal the fantasies and desires of individuals with sadistic and pedophilic interests. This story may help to depict elements of the psychological functioning, including cognitive distortions and pro-offending attitudes, of individuals with disordered sexuality. This could be of great value to social scientists and public policymakers. This story reflects the psychological elements of suspension of disbelief, perceived realism, fantasy fulfillment and ability to relate to fictional characters. This story contains themes similar to, and derivative from, fiction describing the actions of serial killers, and the 1991 book *American Psycho*, by Bret Easton, which includes graphic descriptions of the murder of a child, as well as cannibalism, rape, torture and necrophilia.

#### Charged Story #2. “Baby Wank.”

This story details the activities of a seventeen-year-old male who is father and caretaker of a young female infant. After becoming accidentally sexually aroused by contact with the child, he engages in progressive acts of

sexual abuse. The story includes initial warning language by the author that it includes material that may offend, and that many readers should not “read any further.” It goes on to describe that the story is based on a true experience, and that the story is dedicated to other, similar fathers. It is of note that the author doesn’t describe the nature of the “true” experience, whether this was their own experience or somebody else’s, or what in the story relates to that true experience, and what is a fantasy extension of said experience. This introduction may serve to invite consent and agreement from the reader, but may also build excitement and taboo interest in the reader, who continues on in order to see something so “sick,” or based on alleged truth, as in modern crime novels, “based on a true story!” Readers of this story may experience decreased risk of contact offending against children. This story may reveal the fantasies and desires of individuals with sadistic and pedophilic interests. This story may help to depict elements of the psychological functioning of, including cognitive distortions and pro-offending attitudes, of individuals with disordered sexuality. This story reflects the psychological elements of suspension of disbelief, perceived realism, fantasy fulfillment and ability to relate to fictional characters. This story in particular may assist clinicians treating adolescents who have committed sexual offenses, by depicting elements of psychological disturbance associated with adolescent sexual offending. This story reflects the communal, social dynamics and intent of individuals who write, read and share such stories and fantasies.

### Charged Story #3. “A spectacle to beat all others.”

This story involves a male first-person narrator allowing three other men to sexually and physically abuse a young female child while the narrator watches. The story contains a reference to the narrator being afraid of law enforcement involvement, and a recognition that the behaviors involved in the story are wrong and criminal. This reflects both moral judgment and a strategy to heighten excitement and interest in the reader, reading of criminal and illicit behaviors. The story also includes recognition that the behaviors enacted harm the child, and are experienced by her as hurtful and painful. Thus, the author creates a situation in which the reader empathizes with the victim of the abuse described, a sophisticated technique in storytelling, in order to heighten vicarious experience of audience. A similar example is stories or movies in which a beloved character, as opposed to an unsympathetic character, is harmed or slain. Readers of this story may experience decreased risk of contact offending against children. This story

may reveal the fantasies and desires of individuals with sadistic and pedophilic interests. This story may help to depict elements of the psychological functioning, including cognitive distortions and pro-offending attitudes, of individuals with disordered sexuality. This story reflects the psychological elements of suspension of disbelief, perceived realism, fantasy fulfillment and ability to relate to fictional characters. This story contains numerous elements which serve as cues or references to tropes and themes in modern adult pornography, and may serve to elicit familiarity and recognition from the reader, if they consume similar forms of pornographic and sexual material. The murder, torture and sadistic elements of this story are similar to, and perhaps derivative from, works by the Marquis de Sade—himself an important figure in world literature who has been the subject of influential studies by intellectuals such as Jacques Lacan, Roland Barthes, and Michel Foucault.

#### Charged Story #4. “Replacing my wife.”

This story describes a male whose wife has been serially unfaithful to him, leading to him raising the children of another man. The narrator and his oldest daughter, allegedly his only “real” daughter, then graphically sexually abuse and kill the other children and the narrator’s wife. The narrator’s daughter is portrayed as a willing and enthusiastic accomplice in her own abuse, as well as that of her mother and siblings. The narrator describes how he exposed his daughter to stories, such as this one (a literary and artistic technique known as “breaking the fourth wall” and inviting the reader/audience to become part of the story) in a manner which reflects the concept of “grooming” and using pornography as a part of offending. While the concept of grooming itself has little scientific consistency, many sexual offenders against children do incorporate viewing pornography with a victim as a part of the offense itself. This story is a documentation of what such “grooming” may look like in the fantasies of individuals with pedophilic or sadistic desires.

The story includes initial warning language by the author that it includes material that is “brutal,” and will be “objectionable” to many, who should “read at your own risk.” This introduction may serve to invite consent and agreement from the reader, but may also build excitement and taboo interest in the reader, who continues on in order to see something so “objectionable.” Readers of this story may experience decreased risk of contact offending against children. This story may reveal the fantasies and desires of

individuals with sadistic, necrophilic, and pedophilic interests. This story may help to depict elements of the psychological functioning, including cognitive distortions and pro-offending attitudes, of individuals with disordered sexuality. This story reflects the psychological elements of suspension of disbelief, perceived realism, fantasy fulfillment and ability to relate to fictional characters. This story reflects the communal, social elements of individuals who write, read and share such stories and fantasies, as the author solicits comments and feedback, in its introduction. This story contains themes similar to, and derivative from, fiction describing the actions of serial killers. The murder, torture and sadistic elements of this story are similar to, and perhaps derivative from, historical works by the Marquis de Sade. This story is also reminiscent of the 1991 book *American Psycho*, by Bret Easton, which includes graphic descriptions of the murder of a child, as well as cannibalism, rape, torture and necrophilia

Charged Story #5. “Buttfucking a 10-year-old girl.”

This story describes a male character with a female child captive whom he drugs and induces into being a willing participant in sexual abuse. The story includes a strong disclaimer not only that such events are fiction, but that “nothing in this story actually happened. Ever. To anyone.” As with the introductory language in other stories, this serves to heighten interest in the reader, of encountering the impossible in the story, but also reflects apparent intent in the author to ensure that the story is perceived as fantastic fiction, not a desire for reality. In the story, the victim experiences an orgasm during abuse, an event which occurs to many victims of real abuse, and which creates complex emotional struggles for victims of sexual assault. Readers of this story may experience decreased risk of contact offending against children. This story may reveal the fantasies and desires of individuals with sadistic and pedophilic interests. This story may help to depict elements of the psychological functioning of, including cognitive distortions and pro-offending attitudes, of individuals with disordered sexuality. This story reflects the psychological elements of suspension of disbelief, perceived realism, fantasy fulfillment and ability to relate to fictional characters. This story notably includes elements of “mind control” techniques, a common sexual fantasy. This story contains numerous elements which serve as cues or references to tropes and themes in modern, adult pornography, and may serve to elicit familiarity and recognition from the reader, if they consume similar forms of pornographic and sexual material.



Charged Drawing #1.

“Patty in the fields.” This is a charcoal or pencil drawing of a nude female, reclining on a blanket while engaging in masturbation. The female roughly appears to be in mid-puberty, with no visible pubic hair but visible developing breasts. The drawing is accompanied by text, describing that the author was inspired to draw the picture, by a story of a teenage boy who allowed three other boys to have sex with his younger sister, in exchange for trading cards. The drawing reflects substantial artistic talent in depiction of correct anatomy, figure drawing, shading, texture and perspective. It depicts female sexual self-pleasure—an increasingly salient subject in today’s gender-sensitive and feminist world. The drawing itself depicts no exploitation of the female.

Charged Drawing #2.

This drawing of a nude female performing oral sex on a male holds artistic value in its depiction of unreality and fantasy sexuality. The male’s gloved hands are holding the female’s hair, as she performs oral sex on the male’s penis. Only the abdomen, hands and penis of the male are visible/depicted. The female is nude, though only her buttocks are clearly visible. Her mouth is coated in either saliva or ejaculate. Its use of texture, foreground and perspective are artistically skilled. The female figure is of an indeterminate age and physical development, and it is unclear if she is an adolescent or a young-appearing adult, as there are no clear indicators of her level of physical development. Her hair is in “pigtails” though this is a common hair style for adult characters such as the movie character “Harley Quinn.” The drawing mimics a current form of pornographic production known as “point of view” or “POV,” designed to enhance psychological experience of identification with the subject. Given the indeterminate age of the female, this drawing depicts nothing illegal.

Charged Drawing #3.

This work reflects the style and content of Japanese “manga” or “hentai” art. In Japanese culture, hentai material is intentionally produced by the artists to depict most female characters, including adults, with extremely childlike features and characteristics, in fantastical experiences. Hentai drawings commonly depict male-on-male sex (yaoi), group sex, sex with animals such as octopi (tentacle porn) and sex with children or childlike persons. Scholars

of these traditions assert that it is the very impossibility of the sexual behaviors depicted in hentai that makes them popular, as they allow viewers to imagine the impossible. This drawing depicts three female characters, one partially nude, engaging with the erect penises of unseen males. The females appear young and childlike, though as mentioned, this is common in Japanese art of this sort. The penises are of multiple different skin tones, suggesting males of different races. Notably, the penises are “decorated” with condiments of sorts, suggesting chocolate topping or mustard, and creating the initial impression that the penises are foods, rather than genitalia. The female characters, as in much Japanese manga, have wide open eyes and facial expressions suggesting excitement or pleasure. This drawing may have been created by Japanese artists in hentai, or drawn by an artist mimicking Japanese hentai. This drawing, and this genre of art, holds artistic value in that it depicts unreality, and experiences impossible in the real world, allowing viewers to suspend disbelief. Within Japanese art traditions, hentai holds a complex cultural and legal status, especially as it reflects taboo or criminal sexual behaviors.

Though not included in indictment, FBI agents presented to this writer two stories allegedly written by the defendant. These stories were reviewed alongside the charged stories.

#### Uncharged story #1: “Que.” “Family.” “Katrina and her Daddy.”

This story depicts a father and his daughter, who move to a farmhouse in Arizona following the death of the narrator’s wife. Across the story, the father becomes more physically affectionate with his daughter, as she engages in more provocative and revealing behaviors. The story culminates with sexual activity between father and daughter, initiated during sleep, but then with a statement of desire from the daughter. Readers of this story may experience decreased risk of contact offending against children. This story may reveal the fantasies and desires of individuals with incestuous, somnophilic and pedophilic interests. This story may help to depict elements of the psychological functioning, including cognitive distortions and pro-offending attitudes, of individuals with disordered sexuality. This story reflects the psychological elements of suspension of disbelief, perceived realism, fantasy fulfillment, and ability to relate to fictional characters. This story is well-crafted, presenting the narrative in a manner which makes the reader empathize with the loss that the father and daughter suffered, and feel the strength of the father and daughter’s bond. Perhaps unintentionally, it



also depicts the cognitive distortions that some sexual offenders display, as they perceive children engaging in provocative and seductive manner, perceiving them as equivalent to behaviors of consenting adults.

Uncharged story #2: “Tracy’s Developing Breasts.”

This story depicts a seventeen-year-old male who sexually molests and caresses his twelve-year-old sister during her sleep. Across several incidents, his sexual behaviors progress, including him involving a similar-aged male in the molestation of his sister, and culminating in penetrative intercourse with his sister while she is drugged unconscious. The story ends with a statement of sexual interest and desire by the “awakened” sister. Readers of this story may experience decreased risk of contact offending against children. This story may reveal the fantasies and desires of individuals with incestuous, somnophilic and pedophilic interests. This story may help to depict elements of the psychological functioning, including cognitive distortions and pro-offending attitudes, of individuals with disordered sexuality. This story reflects the psychological elements of suspension of disbelief, perceived realism, fantasy fulfillment, and ability to relate to fictional characters. This story contains several elements similar to published fiction regarding somnophilic sexual fantasies.

Fictional and non-fictional narrative accounts of sexual abuse, written by both victims and perpetrators, are frequently utilized in clinical treatment of both victims and perpetrators. Such accounts may be written in first person or third person, as each approach yields a different experience for the reader. Such accounts are sometimes used to confront cognitive distortions by perpetrators or victims, as to who is responsible for the criminal and abusive actions, and to create psychological wedges in the course of treatment, to allow for examination of alternative ideas. Wiehe (1997) describes how such narrative accounts can be used to elicit and develop empathic reactions in child abusers. Victim-impact statements are commonly used in court and legal proceedings, and in treatment processes to confront the differences between an offenders’ description of an abusive incident (*e.g.*, Miller 2013).

In 2013, rock music performer Ian Watkins was convicted in the United Kingdom on charges of child pornography and sexual assault. The sentencing documents, published by the courts and available online, contain graphic descriptions of Watkins’ actions, including urinating on the faces of teenage females, drugging and sexually assaulting female and male children,

and engaging in and photographing acts of bestiality. In the sentencing document are graphic descriptions of Watkins sexually assaulting multiple infants, brought to him by the child's mothers, with the explicit intent of encouraging Watkins to molest the children. These latter accounts bear striking similarities to the themes in several of the charged stories. These sentencing remarks were published and recorded by British courts, and are available online at: [http://rockrevoltmagazine.com/wp-content/uploads/2014/05/Ian.Watkins.Judge\\_.Ruling.Document.pdf](http://rockrevoltmagazine.com/wp-content/uploads/2014/05/Ian.Watkins.Judge_.Ruling.Document.pdf)

*The Memoirs of Fanny Hill*, a book first published in 1680, is described as the first example of popular Western pornography, remains in print today, and has been the subject of numerous literary and critical analyses (e.g. Haslanger 2011). *Fanny Hill* was illustrated with drawings of sexual interactions, not dissimilar to the charged drawings in this case.

*The Romance of Lust* is a four-part book, similar to *Fanny Hill*, published in the late 1800's by George Lazenby. It depicts graphic criminal and taboo sex including pedophilia and incest. It remains widely available online at sites such as: [https://en.wikisource.org/wiki/The\\_Romance\\_of\\_Lust](https://en.wikisource.org/wiki/The_Romance_of_Lust), and is regarded as an erotic response to the strait-laced sexual morals of Victorian England.

*120 Days of Sodom* is regarded as the most graphic and disturbing pornographic work by the Marquis de Sade. It includes tales of rape, pedophilia, sadistic torture and murder. Several of the stories charged in this case, notably those involving murder and torture, are extremely similar to, and perhaps derivative from, the works of de Sade, written in 1785 and made into a film in the United States in 1975. This work, and others by de Sade, were illustrated with drawings, including of children, and remain available for purchase and download today.

Ahuja, et al (2019) analyzed online narrative accounts of the use of methamphetamine, and illegal behaviors including sexual assault and prostitution, in order to guide and inform clinical policy and practice in treatment of those addicted to methamphetamine. There are currently over one thousand academic and research publications that critically examine the book and film *Fifty Shades of Grey*, which includes graphic depictions of sexual behaviors including nonconsensual sexual and physically aggressive behavior. Online erotic stories such as those in this case have been the subject of numerous scientific and literary analyses, examining whether the

stories reflect changing levels of interest in fetishistic sexual behaviors such as incest or rape (*e.g.* Seehus, Handy & Stanton, 2020), and evaluating the degrees of agency and autonomy depicted by different characters in these stories in order to understand how gender stereotypes and social dialogue about gender roles may influence sexual fantasy (*e.g.* Lischinsky, 2017). Women's sexual fantasies have been studied extensively in recent years, revealing that 62% of women experience fantasies of nonconsensual, even violent and aggressive, sex (Bivona & Critelli 2009). Obviously, most of these women are not psychologically unhealthy, and none of them desire actual violence.

Written accounts of sexual fantasy have been the subject of numerous research studies and highly popular nonfiction works. In 1973, Nancy Friday published *My Secret Garden: Women's Sexual Fantasies*, which was a compendium of sexual fantasies the author collected from women across the country. This book is currently available for purchase and electronic download. In preparation for this case, I reviewed and indexed the stories included. Of 240 fantasies included, 14% included graphic accounts of child sexual abuse, 10% included depictions of bestiality, and 7% included rape and explicit sexual violence. The book challenged social narratives of female sexuality, and revealed that female sexual imagination could be as transgressive as that of men. As in the charged stories, in the fantasies presented by Friday, many of the victims of child sexual abuse and sexual assault report pleasure during the experience.

In 2018, psychologist Justin Lehmiller published *Tell Me What You Want*, presenting the sexual fantasies of over four thousand individuals. Lehmiller and his research team analyzed these stories and accounts. Of the 4000 respondents' sexual fantasies, 6% were pedophilic; 3% included necrophilia, and 20% acknowledged zoophilic fantasies. 11% of respondents reported age-play sexual fantasies where adults pretend to be children, and 18% reported fantasizing about sex with a minor. 20% of respondents reported incest fantasies. Lehmiller's publication includes examples and quoted descriptions of various sexual fantasies, including pedophilic, incestuous, somnophilic and necrophilic fantasies.

A similar work was done by British psychotherapist Brett Kahr, who analyzed thousands of sexual fantasies, and suggested that these fantasies reflect cognitive strategies to explore an inner psychological world, and as

such, may relieve and resolve psychological conflicts which improve “real world” functioning.

In 2019, researchers Seehus, Stanton and Handy performed a content analysis of 250,000 text sexual fantasies published online. They found that words such as “mother” or “father,” which indicated incestuous content, most strongly predicted the reader popularity of the stories analyzed. The charged stories do not differ substantially from the stories and fantasies depicted in works by Friday, Kahr and Lehmillier, as well as numerous other authors, psychologists and sex therapists who have published, analyzed and described human sexual fantasies. The charged stories reflect fantasies and sexual thoughts which are consistent with the overall understanding of the diversity of human fantasy.

Narrative accounts of horrific child and sexual abuse have been extremely common in literature, both historical and present. In 2017, Gabriel Tallent published the novel *My Absolute Darling*, which depicted the complex relationship between a fourteen-year-old girl and her sexually abusive father. The book was labeled a masterpiece by author Stephen King, and was a New York Times Bestseller. The book was called both “difficult to read,” and “nearly impossible to put down” by NPR critic Michael Schaub. The book’s depiction of the incest between father and daughter, and particularly the degree to which the female character excused, and sometimes willingly participated in the sexual abuse with her father, triggered significant controversy. The female character’s actions were described as a form of “Stockholm Syndrome,” whereby captives and victims come to identify with, and support, their captors. Several of the charged stories included similar elements, most notably the stories “Replacing my wife” and “Buttfucking a 10-year old girl.” In both of these stories, the victims actively and willingly participate in their own abuse and that of others, reflecting the same Stockholm Syndrome dynamics as in *My Absolute Darling*.

Other equally graphic accounts of abuse, both sexual and nonsexual, are prevalent in popular nonfiction literature. *A Child Called It* (1995) by David Pelzer recounts the author’s childhood of abuse by his mother, forced to eat his own vomit, drink ammonia, and be stabbed in the stomach by his mother. The book *Sybil* (1973) by Flora Rheta Schreiber describes the psychological treatment of a female with multiple personalities, a condition apparently created by horrific childhood physical and sexual abuse. Sexual abuse details recounted in the work included the child witnessing a public lesbian orgy,

and the child being vaginally penetrated by her mother using a wooden spoon. Both of these books were incredibly influential on the development of therapy for trauma victims, and spurred significant growth in the field of psychological trauma treatment. These works and many other similar tales, were often read by victims, and processed in treatment. While the validity of both accounts has been called into significant question, the popularity and impact of these books is undeniable. The charged stories from the Mr. Double website, where horrific, fantastical elements are included in the narrative in order to elicit strong emotional reactions in the reader, may fall into the same literary category.

Such narrative accounts of incest and child sexual abuse are present in academic and research literature as well. “Grace’s Story: Prolonged Incestuous Abuse From Childhood Into Adulthood” by psychologist Michael Salter (2013) presents the accounts of incest and sexual abuse by a female child, whose father allowed her to be sexually abused by other men, as well as himself. Salter acquired the details of these experiences via life-history interviews of the adult Grace, and presented the story with the intent of depicting the psychological effects of prolonged sexual abuse and incest, and contrasting it with media presentations. In one quote, Grace describes “This sounds really sick but I thought I was in love with my father, and he thought he was in love with me.” (Pg 156.) Salter’s presentation of Grace’s story is explicitly intended to challenge sensationalist accounts of abuse and social denial of pervasive abuse. Several of the charged stories depict the development of emotional connection between the victim and perpetrators. Notably, “Katrina and her Daddy,” one of the two stories allegedly written by Mr. Arthur, but not included in the indictment, contains similar narrative elements of love and emotional intimacy between father and daughter-victim.

Elliott, Beech and Mandeville-Norden (2012) found that men who consume child pornography have greater ability to relate to fictional characters and greater impulse control, compared to 526 men convicted of “contact offending” without internet/child pornography offenses. Thus, this research suggests that individuals who read stories such as those charged in this case may differ significantly from those who watch child-pornography videos, and from those who engage in criminal sexual abuse of children. Individuals may read these stories who do *not* have sexual interest in children, and those who do have sexual interest in children and read these stories may have greater ability to empathize and relate with fictional characters in these

stories, compared to individuals who engage in contact-only offending. Individuals who experienced victimization themselves, or who fantasize about experiencing sexual assault, may also read stories such as those charged, and experience decreases in shame, anxiety and increased self-awareness. Psychologists of all theoretical orientations agree that a decrease in shame can help reduce the drive to sexually exploit or sexually offend.

According to current research, the consumption of child pornography does not predict engaging in contact criminal sexual offending against children (eg Temporini 2012; Seto, 2017). In other words, though watching or possessing video or photographic child pornography involves criminal behavior, watching or possessing this material does not increase the likelihood that an individual will engage in physical sexual abuse of a child. A 2001 study of 316 pedophiles found that those who had no known child victims consumed greater amounts of pornography than those who had abused real children (Fedoroff, et al 2001). A 2015 pilot study in Germany, known as the “Dunkelfeld Project” explored the effect of therapeutic intervention on individuals with no known offending history. While the program had some effect of reducing contact offending behaviors against children, it had little to no effect on reducing or eliminating use of child pornography and related material, including text stories similar to those charged (Beier, et al 2015). Also in Germany, Dombert et al (2016) found that the majority of sexual offenses committed against children were committed by men who reported that they did not have sexual fantasies about children. Woodworth, et al (2013) suggests that absent other markers of risk, including antisocial traits, sexual fantasies, even depraved ones, are not a meaningful risk for sex offense. All licensed psychotherapists (and other mandated reporters such as physicians) in America are trained to understand that extreme sexual fantasies do not by themselves constitute the desire to commit sex offenses.

At this point, there is no scientific reason to believe that texts or drawings such as those charged in this case have a greater effect than analogous photographic or video material. Analysis of the relationships between such material and actual offending against children holds tremendous scientific value in increasing our ability to better understand, treat, and prevent sexual crimes against children.

Scientific and clinical analysis of stories and narrative accounts such as the charged stories are prevalent and influential in scientific and psychological



research and clinical endeavors. Literature, as a human endeavor, holds tremendous psychological and cultural value. Fictional stories, told in writing, in speech and in drama, allow the audience to experience things they've never encountered, that are not a part of their actual lives or experiences. Fictional accounts place the audience into the shoes of other people, vicariously experiencing others' minds, lives and actions. They trigger feelings, thoughts and reactions, ranging from the pleasant or nostalgic, to the horrified and disgusted. Fiction permits the reader to escape from reality, and imagine life in a world that may be simpler, or easier, where one can engage in behaviors that are impossible in the real world. These fantasies range from flying like a superhero, to engaging in criminal acts of murder, rape or sexual abuse, which are forbidden in reality. The ability to read a fictional story and experience the actions in our imagination reflects a highly sophisticated aspect of human psychology, reflecting cognitive empathy. Fiction is read and taught in schools, in order to teach young people about the breadth of human experience, and to overcome the psychological gulf that exists between oneself and the "other," of people with different backgrounds, cultures, needs and wants. The 2004 film *The Woodsman*, starred Kevin Bacon and was based on a play by Steven Fechter. The film portrays bacon as a convicted child molester, adjusting to life after twelve years in prison. The film succeeds in allowing the audience to sympathize with this character, a man whose crimes are seen as monstrous by society. Bacon acts out the struggles and temptations of a pedophile so convincingly that the film won numerous awards, despite a very limited release to its focus on pedophilia. This is the value of literature, in that it can create empathy, even for monsters.

Anais Nin wrote: "The important task of literature is to free man, not to censor him, and that is why Puritanism was the most destructive and evil force which ever oppressed people and their literature: it created hypocrisy, perversion, fears, sterility." Anais Nin was a celebrated author and cultural figure, whose book of erotica *Delta of Venus* (1977) was written in the 1940's for a wealthy collector of graphic erotica, a process not dissimilar to the publication of the charged stories on the *Mr. Double* website. Nin's stories include tales of pedophilia and sexual assault. In Nin's published journal, there are extensive and graphic depictions of the incestuous relationship she had with her father, both as a child, and as an adult. Nin helped edit the famous book *Tropic of Cancer*, written by her lover Henry Miller, which was the subject of dozens of trials for obscenity, until the US Supreme Court ruled in 1964 that the book was not obscene and held literary

merit. Nin's career and writing serves as a powerful demonstration of the important role of graphic sexual writing in literature.

Art, and drawings, represent one of humanity's oldest forms of artistic expressions. Cave drawing, petroglyphs and pictographs depict ancient experiences, showing us the lives and thoughts of humans from thousands of years ago. Throughout the Southwest United States, Native American tribes left petroglyphs scattered on rocks and cliffs. These petroglyphs tell stories, of hunting trips, of migrations, of battles and births. Surprisingly, a great many of the petroglyphs depict sexuality, with genitals, intercourse and a wide variety of sexual behaviors from homosexuality and masturbation to bestiality and group sex (Slifer, 2000). Artistic depictions of sexuality have been a component of art throughout our existence. They are a way for the artist to share with others, what the artist sees and imagines in their own mind. As with literature, art triggers reactions, thoughts and feelings, in the audience, to seeing what is in the hidden mind of another person. Good art triggers strong feelings, both positive and negative. Drawings, compared to photographs, allow the artist to depict things which are impossible in real life, from dragons, to impossible sex. Erotic petroglyphs depict genitalia of impossible sizes, as do today's Japanese erotic comics. Thus art gives the viewer windows into not only what is, but what could be, and invites the viewer to react to it. As with literature, our reactions to art reflect our psychological sophistication, our imagination, our perception, and our empathy.

It is my professional opinion that these materials, while often distasteful and highly uncomfortable for many readers, cannot be shown to lack serious scientific or literary or artistic value. Examination of these materials and those who produce and consume them increases our understanding of the psychology of individuals who have fetishistic or paraphilic sexual fantasies and desires, increase our ability to identify how to support these individuals to maintain health and safety, and further our ability to identify and study links between thoughts, fantasies and actual behaviors. These identified stories are similar to stories commonly utilized in scientific research regarding trends, effects and patterns in sexual fantasies. Narrative stories, both fictional and nonfiction, of taboo, socially disapproved, and illegal behaviors are frequently used in both research and clinical work, to understand the psychology and experiences of individuals who engage in such behaviors, to guide intervention and prevention efforts. These stories and drawings fit into an overall body of erotic sexual fantasy, art and

literature, which reflect the extremely diverse array of sexual interests and desires. These charged stories and drawings are not distinct or notably different from a wealth of current and historical works. Thus, my opinion is, notwithstanding the inability to review the entire Mr. Double website as it was presented to readers in whole, that these charged stories do possess serious literary, scientific and artistic value.

**Respectfully submitted,**

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